

# EXHIBIT D

Declaration of Chief of  
Nursing Theresa Wickham

# EXHIBIT D

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8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10 MARCELL WILLIAMS,

11 Plaintiff,  
 12 vs.

13 WARDEN OF SOUTHERN DESERT  
 14 CORRECTIONAL CENTER, et al.,

Defendants.

CASE NO. 2:20-cv-00639-RFB-BNW

**DECLARATION OF CHIEF OF  
 NURSING, THERESA WICKHAM**

15 I, Theresa Wickham, hereby declare based on personal knowledge and/or  
 16 information and belief, that the following assertions are true.

17 1. I am currently employed by the Nevada Department of Corrections (NDOC)  
 18 as Chief of Nursing Services for the NDOC. As part of my regular duties, I oversee inmate  
 19 health care at each institution within the NDOC system.

20 2. In my capacity as Chief of Nursing Services for the NDOC, and at the request  
 21 of Chief Deputy Attorney General D. Randall Gilmer, I have reviewed the documents  
 22 marked as **Exhibits A, J, and M**, that I understand will be used in case number 2:20-cv-  
 23 00639-RFB-BNW in the United States District Court for the District of Nevada. After  
 24 reviewing those records, I can attest that I was either a recipient or sender of each email  
 25 and attachment contained in **Exhibit A**, and that those emails and attachments accurately  
 26 reflect the policies and procedures in place regarding COVID-19 within the NDOC. I also  
 27 attest that I was a recipient of to all staff memoranda written on official NDOC letter head  
 28 . . .

1 by Deputy Director Harold Wickham (NDOC-COVID000017) and Director Charles Daniels  
2 (NDOC-COVID000018-19), both dated March 16, 2020.

3       3. Through my employment as Chief of Nursing Services, I have access to  
4 medical policies and directives maintained by the NDOC. With regard to the current  
5 COVID-19 pandemic, I have been worked with Dr. Minev and other members of NDOC's  
6 medical staff and administration to ensure that the protective protocols NDOC has  
7 implemented are being consistently adhered to throughout all NDOC institutions.

8       4. As Chief of Nursing Services, I am both responsible for personally  
9 participating in the visual and temperature screening tests of all individuals who enter any  
10 NDOC facility, and am also assisting in the oversight of all NDOC employees tasked to  
11 performing these crucial protective protocols.

12       5. I am also responsible for ensuring that the protocols more fully described in  
13 the documents attached as exhibits reviewed by me and referenced above in ¶ 2 are also  
14 used to monitor all inmates within the NDOC. Specifically, every inmate arriving at an  
15 NDOC institution has their temperature taken as soon as they arrive onsite. They are also  
16 asked whether they have any current symptoms of illness, recent travel, or know of any  
17 potential contact with a COVID-19 positive patient.

18       6. The NDOC also requires all inmates transferring into any NDOC facility,  
19 whether from another NDOC facility or from outside the NDOC, to be medically observed  
20 and isolated from other inmates at the institution for a minimum of fourteen (14) days.  
21 Each institution as specifically identified locations for these observations. During this time,  
22 any symptoms that an inmate may have that are consistent with a potential COVID-19  
23 infection, result in the inmate being quarantined from the other inmates until such time  
24 as COVID-19 can be ruled out. At Southern Desert Correctional Center, inmates are  
25 isolated in Unit 7, which is the quarantine and isolation unit. Any inmate that exhibits  
26 symptoms consistent with a potential COVID-19 diagnosis are removed from Unit 7 and  
27 observed in the medical building until they are symptom free.

28 . . .

7. As of the date of this declaration, to the best of my knowledge, seven (7) inmates have been tested for COVID-19 based on medical observations and symptoms suggesting a possible COVID-19 diagnosis. In all instances, the tests have revealed that the inmate did not have COVID-19. The most recent negative test occurred on April 6, 2020. There are two pending test results as of April 7, 2020.

8. I am also aware that as of the date of this declaration, four employees of the NDOC system have tested positive for COVID-19. Each of those individuals have been informed that they will not be able to return to work until the end of a 14-day quarantine, showing no symptoms for at least 72 hours, until a negative test has been confirmed, and until any further medical clearance is deemed necessary to ensure not only the health of those individuals, but also the health and welfare of all inmates and other individuals within the NDOC system.

9. Based on my training and experience, it is my understanding that the NDOC has implemented aggressive screening and safeguards that are consistent with the recommendations of the Center for Disease Control.

10. I declare under penalty of perjury pursuant to 28 U.S.C. section 1746 that the foregoing is true and correct.

EXECUTED this 8th day of April, 2020

/s/ Theresa Wickham\*  
**THERESA WICKHAM**  
Chief of Nursing Services,  
Nevada Department of Corrections

\* Pursuant to Temporary General Order 2020-05, entered by Chief Judge Du on March 30, 2020, <https://www.nvd.uscourts.gov/wp-content/uploads/2020/03/GO-2020-05-re-COVID-19-Remote-Hearings.pdf>, Chief Wickham has provided authorization to counsel to affix her electronic signature to this Declaration.